IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 17TH JANUARY 2007 / 27TH PAUSHA 1928

Crl.MC.No. 4079 of 2006()

CC.220/2003 of JUDL.MAGISTRATE OF FIRST CLASS, KARUNAGAPPALLY

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PETITIONER:

MOHANKUMAR, S/O.NANU,
KUMBAZHATHU VEEDU, MANNAPPALLY THEKKUM MURI,
PAVUMBA VILLAGE, KAUNAGAPPALLY TALUK,
KOLLAM DISTRICT.

BY ADV. SRI.K.RAVEENDRAN
SRI.ANIL KUMAR M.SIVARAMAN

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. MADHU.M., S/O.MADHAVAN,
NADALAYIL VEEDU, VALLIKUNNAM P.O.,
MEENATHU WARD, MAVELIKKARA TALUK,
ALAPPUZHA DISTRICT.

R1 BY PUBLIC PROSECUTOR SMT. LATHA

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 17/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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Crl.M.C.No. 4079 of 2006

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Dated this the 17th day of January, 2007

O R D E R

The grievance of the petitioner is that the case against him has not been disposed of inspite of the direction issued by another Bench of this Court as per order dt. 30.7.2006. Which is the case against the petitioner, which has got to be disposed of? The petitioner even now asserts that it is C.C.No. 220 of 2003.

2. Report of the learned Magistrate was called for. The learned Magistrate reports that the case against the petitioner is pending not as C.C. 220 of 2003, but as C.C. 23 of 2004. That case arose from Crime No.220 of 2003. An error had crept into the earlier order passed by this Court, copy of which is produced as Annex.I. Consequently mindless repetition of that error is made in this petition also.

3. At any rate, the report of the learned Magistrate has been received. The learned Magistrate reports that the needful is being done to advance the hearing in C.C. 23 of 2004, after realising the error in the number of the case. The learned Magistrate has further

prayed for two months time from 22.1.2007 to dispose of C.C.No.23 of 2004. I do, in these circumstances, find that the report of the learned Magistrate can be accepted and this Crl.M.C. can be dismissed without any further direction, in the light of the undertaking made by the learned Magistrate.

This Crl.M.C. is hence dismissed.

(R. BASANT)
Judge

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